

UNITED STATES DISTRICT COURT

for the
District of NebraskaFILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA

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OFFICE OF THE CLERK

United States of America
v.
STEPHEN ALAN MACOMBER

Case No. 8:10MJ133

Defendant

CRIMINAL COMPLAINT

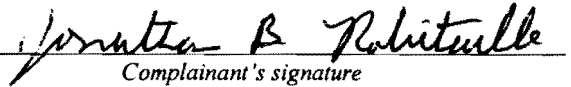
I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 06/04/2010 in the county of Sarpy in the _____ District of
Nebraska, the defendant violated 18 U. S. C. § 2113(a) &(d), an offense described as follows:

On June 4, 2010, in the District of Nebraska, the Defendant, STEPHEN ALAN MACOMBER, did by force and intimidation take from the person and presence of employees, United States currency belonging to and in the care, custody, control, management and possession of the Bank of the West, located at 505 Galvin Road North, Bellevue, Nebraska, the deposits of which were insured by the Federal Deposit Insurance Corporation, in violation of Title 18, United States Code, Section 2113(a) & (d).

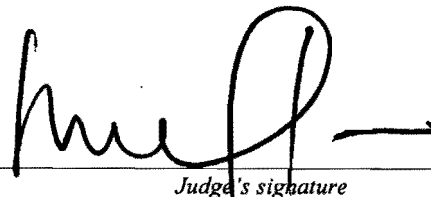
This criminal complaint is based on these facts:

See Attached Affidavit.

☒ Continued on the attached sheet.
Complainant's signatureJonathan B. Robitaille, Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date:

June 8, 2010
Judge's signatureCity and state: OMAHA, NEBRASKATHOMAS D. THALKEN, U.S. MAGISTRATE JUDGE
Printed name and title

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AFFIDAVIT OF PROBABLE CAUSE FOR ISSUANCE OF ARREST WARRANT

Your Affiant, **Jonathan B. Robitaille**, has been a Special Agent of the Federal Bureau of Investigation (FBI) for 14 years and has experience investigating bank robberies and other crimes of violence. The following information was obtained from my investigation and from other law enforcement officials who have provided me with information.

Affiant is informed and believes, and on such information and belief, and in good faith, states that probable cause exists for the issuance of an arrest warrant for

Name: Stephen Alan Macomber

DOB: 04/05/1967

OLN State & Number#: Kansas/K02972931

6034 SW 25th Street

Topeka, KS, 66614

Physical Description: White, Male, 6'1", 170lbs

For the following Criminal Offenses: **Bank Robbery** based upon the following events which occurred on **06/04/2010** at **505 Galvin Rd. North, Bellevue**, in Sarpy County, Nebraska:

1. On June 4, 2010, at 0943 Hrs, I was advised by FBI Omaha Division Radio Room personnel that a bank robbery just occurred at the Bank of the West located at 505 Galvin Road North. I responded to the bank and met with Bellvue Police Lt. Dave Stukenholtz

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and Bellevue Police Detective Dontrell Ducker.

2. Detective Ducker interviewed a Bank of the West Teller identified as Jaci Conover. Conover stated while helping a customer at the counter a white male was standing in line directly behind the customer (extremely close). She started to tell him to back up but the customer turned around and looked at him. He immediately backed up. She continued to help the customer and upon completing the transaction the male walked up to her and slid her a check. It said "Don't Fuck This Up". She noticed more writing on the back. It said, "no dye pk's, do not hit alarm or I will start shooting, act normal like processing a check for \$6500 minimum, \$100's, \$50's, \$20's, only". She then emptied the first drawer. He then asked her where the \$100's were. She told him she forgot they were behind the drawer so she then grabbed those too and began putting them in an envelope. He was mumbling something she couldn't understand and lifted up his shirt and she saw a dark colored handgun in his waist. He then told her to go to the other drawer and get the money from there too. She then complied and stuffed them into another envelope. The male then grabbed the envelope and walked out the east door of the building leaving the demand note with Conover. She described the white male as being 5'7 to 6'0, weighing 170lbs. He was wearing a hat and a plastic bag around his neck. She also thought he had a sling on his right arm.

3. Liz Kizzier, Senior Investigator, Bank of the West, informed me that Bank of the West has FDIC Charter Number 3514 and its funds are insured by the FDIC.

3. Conover placed the check used as the robbery note in an envelope at the counter and gave it to Detective Ducker. Detective Ducker and I viewed the check I noticed that it was obviously someone's personal check. The routing number and checking account number had been torn from the check. The owner of the check's, name, address and bank information was blacked out with some type of marker and was not readable.

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4. Detective Ducker took possession of the check and took it to the Douglas County Crime Lab. The Crime Lab used an infrared camera to take photographs of the check. This particular camera was able to show the name, address, and bank information printed on the check underneath the black marker. S.A Macomber/3238 Oakland #1, Wichita, KS appeared on the check. Detective Ducker also saw that the check had been issued by Intrust Bank located in Wichita, KS . The check was turned over to Douglas County Crime Lab for processing. Detective Ducker later received a call from Evidence Tech Jason Connelly. Connelly advised that there were several fingerprints located on the check. A check through AFIS was done on one of the prints. A comparison of the print found on the check was a match with the ones in AFIS for Stephen Macomber. Detective Ducker also requested Douglas County complete a photo line up with Macomber. Later that night Detective Ducker received a photo line up with Macomber as the #2 photograph.

5. Detective Ducker also contacted Bank Security from Intrust Bank. It was determined that Stephen Macomber was the owner of the check and Detective Ducker was directed to the Kansas Department of Corrections Site by the investigator. A photograph of Stephen A. Macomber was on the site along with his criminal history. The photograph was consistent with the surveillance photos/video of the white male robbing the Bank of the West. His history included aggravated robbery, aggravated assault/battery. It also showed that he was released from the Department of Corrections in 2009 and was still on probation.

6. Detective Ducker contacted Kansas State Probation Officer Don Schwartz. Schwartz provided a current address of 6034 SW 25th St, Topeka, Kansas.

7. On June 7, the photo line up was shown to Jaci Conover. She was able to identify Stephen Macomber as the individual who robbed the Bank of the West on June 4, 2010.

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8. On June 7, 2010, I was informed by the FBI Office in Topeka, Kansas, that a warrant for Macomber had been issued from a Kansas court for second degree murder for a homicide that occurred on June 7, 2010, in Topeka, KS. The victim had been shot to death. A few hours later I was informed that Macomber had shot a Marshall County Sheriff's Deputy in Marshall County, KS, and had stolen the deputy's police vehicle.

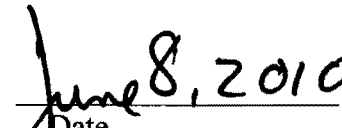
9. Macomber entered a home in Marshall County, KS, shortly thereafter and held an elderly woman hostage. Macomber released her but stayed barricaded in the home until he was arrested around 7 A.M. on June 8, 2010.

Further, Affiant sayeth naught.


JONATHAN B. ROBITAILLE

Subscribed and sworn to before me this date.


THOMAS D. THALKEN
U.S. Magistrate Judge


Date